

Bold = new language

~~Strikeout~~ = existing language deleted in this rulemaking

TITLE 326 AIR POLLUTION CONTROL DIVISION

DRAFT RULE

LSA Document #19-382

DIGEST

Amends 326 IAC 1-1-3 concerning updates to references to the Code of Federal Regulations to bring it up to date with the July 1, 2018 edition, and 326 IAC 12-1-1 to update a reference. Effective 30 days after filing with the Publisher.

HISTORY

Findings and Determination of the Commissioner Pursuant to IC 13-14-9-8 and Draft Rule: August 7, 2019, Indiana Register (DIN: 20190807-IR-326190382FDA).

Notice of First Hearing: August 7, 2019, Indiana Register (DIN: 20190807-IR-326190382PHA).

Date of First Hearing: November 13, 2019.

326 IAC 1-1-3

326 IAC 12-1-1

DRAFT RULE

SECTION 1. 326 IAC 1-1-3 IS AMENDED TO READ AS FOLLOWS:

326 IAC 1-1-3 References to the Code of Federal Regulations

Authority: IC 4-22-2-21; IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 4-22-9-5; IC 13-15; IC 13-17

Sec. 3. Unless otherwise indicated, any reference to a provision of the Code of Federal Regulations (CFR) ~~shall mean~~ **means** the July 1, ~~2015~~, **2018**, edition. (*Air Pollution Control Division; 326 IAC 1-1-3; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2369; filed Jan 6, 1989, 3:30 p.m.: 12 IR 1102; filed Dec 14, 1989, 9:35 a.m.: 13 IR 868; filed Aug 9, 1991, 11:00 a.m.: 14 IR 2218; filed May 25, 1994, 11:00 a.m.: 17 IR 2237; filed Jul 25, 1995, 5:00 p.m.: 18 IR 3381; filed Jul 25, 1997, 4:00 p.m.: 20 IR 3298; filed Oct 30, 2000, 2:13 p.m.: 24 IR 667; filed May 21, 2002, 10:20 a.m.: 25 IR 3054; filed Aug 26, 2004, 11:30 a.m.: 28 IR 17; filed Oct 14, 2005, 10:00 a.m.: 29 IR 795; filed Mar 17, 2006, 1:00 p.m.: 29 IR 2517; filed Apr 26, 2007, 9:38 a.m.: 20070523-IR-326060412FRA; filed Apr 1, 2008, 9:59 a.m.: 20080430-IR-326070373FRA; filed Jul 1, 2009, 3:12 p.m.: 20090729-IR-326080901FRA; filed Oct 1, 2010, 3:49 p.m.: 20101027-IR-326100112FRA; filed Mar 28, 2012, 12:51 p.m.: 20120425-IR-326110472FRA; filed Aug 1, 2014, 10:53 a.m.: 20140827-IR-326130501FRA; filed Nov 7, 2016, 3:35 p.m.: 20161207-IR-326160208FRA*)

SECTION 2. 326 IAC 12-1-1 IS AMENDED TO READ AS FOLLOWS:

326 IAC 12-1-1 Applicability

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-3-12

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This article applies to the owner or operator of any stationary source for which a standard is prescribed under this article.

(b) ~~The air pollution control board incorporates by reference~~ **owner or operator of a stationary source subject to this article shall comply with 40 CFR 60*, except for 40 CFR 60, Subpart TTTT.**

(c) If the emission limitations contained in this article conflict with or are inconsistent with any other emission limitations established by this title, then the more stringent limitation ~~shall apply~~ **applies.**

~~*These documents~~ **This document** ~~are is~~ incorporated by reference. Copies may be obtained from the Government ~~Printing Publishing~~ **Printing Publishing** Office, 732 North Capitol Street NW, Washington, D.C. 20401 ~~www.gpo.gov~~, or are available for review ~~and copying~~ at the Indiana Department of Environmental Management, Office of ~~Air Quality~~, **Legal Counsel**, Indiana Government Center North, ~~Tenth Floor~~, 100 North Senate Avenue, **Thirteenth Floor**, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 12-1-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2554; filed Aug 9, 1991, 11:00 a.m.: 14 IR 2218; filed Apr 22, 1997, 2:00 p.m.: 20 IR 2372; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1603; filed Apr 26, 2007, 9:38 a.m.: 20070523-IR-326060412FRA*)